

that the House had passed the following bills, originating in the House, to wit :

A bill to amend "an act to regulate proceedings in the district court," approved May 13, 1846 ;

A bill to amend the tenth section of an act to organize the district courts, and define their powers and jurisdiction ;

A bill for the relief of W. W. Wooten, assignee of David Lloyd ;

A bill to indemnify the owners for the loss of the slaves executed for capital offences ; and

A bill for the relief of the persons taken prisoners by the Mexican army at the Mission of Refugio in 1841 ; which were severally read a first time.

On motion of Mr. Williams, the Secretary of the Senate was instructed to return to the House of Representatives, a bill to amend the estray law, approved February 8, 1850, and request that the amendments made by the House be engrossed.

On motion of Mr. Parker, the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, November 29, 1851.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present—the journal of yesterday was read and adopted.

Mr. Wilson presented the petition of John S. Thorp and others, asking an amendment of the constitution, etc. ; referred to the committee on State Affairs.

Mr. Day presented the memorials of sundry citizens of Austin and Washington counties ; referred to the committee on Counties and County Boundaries.

Mr. Grimes, chairman of the committee on Finance, made the following report :

The Finance committee, to whom was referred the memorial of William Smith, Sheriff of Starr county, praying for extra pay for conveying three convicts from the county seat of Starr county to the State Penitentiary, have had the subject under consideration, and report that they find that the act to establish a State Penitentiary provides for the payment of Sheriffs for such services, but this act does not appear to contemplate that more than one convict would be taken at the same time,

and made no provision for such cases. Your committee not agreeing to recommend any additional compensation for the services of said sheriff, but learning that the appropriation for the Penitentiary has been expended, they report a bill making an appropriation for the amount certified by the superintendent, and return the memorial for the consideration of the Senate.

A bill making an appropriation to pay William Smith, sheriff of Starr county, for taking three convicts to the State Penitentiary ; read first time.

Mr. Eddy, chairman of the committee on Printing, to whom was referred the resolution of the Senate, instructing said committee to inquire into the expediency of abolishing the contract made by order of the Senate, with the publishers of the State Gazette and S. W. American, for fourteen numbers of their respective papers for each member ; recommended that the contract be so amended as to allow five numbers of each issue to each member of the Senate.

Mr. Reaves, from the committee on the Judiciary, to whom was referred a bill to require the commissioners of the town of Paris, in Lamar county, to turn over to the county court of said county, all monies, notes, deeds and other documents in their possession ; reported the same back to the Senate, and recommended its passage.

Mr. Gray, chairman of the committee on the Judiciary, to whom were referred a bill granting certain powers to the corporation of Galveston city ; and a bill giving damages upon protested drafts and bills of exchange ; reported the same back and recommended their passage.

Mr. Gray, from the same committee, reported back to the Senate a bill concerning the recording of marriage licenses, and recommend that it be laid on the table.

Mr. Gray, from the same committee, made the following report :

The committee on the Judiciary have examined a bill concerning the investment of the funds of minors, and instruct me to report, that it is inexpedient to change the laws on that subject in the manner proposed. They doubt the expediency of such a law in any form, but concur in recommending the amendments annexed, and submit the bill for the action of the Senate.

#### Amendments :

In second line after "State," insert, "over eighteen years of age."

In ninth line, between the words "and" and "the," insert, "after service of the petition on such minor or minors, if he or they shall appear in open court and consent to the order prayed for, then."

Mr. Merriman, from the committee on the Judiciary, made the following report :

*To the Honorable JOHN A. GREER,*  
*President of the Senate :*

The committee on the Judiciary, to whom was referred an act regulating sales by sheriffs and other officers, and amendatory of the act to reduce into one and amending the several acts concerning executions ; also, an act regulating sales by executors and administrators, and amendatory of the act concerning the estates of deceased persons ; have had the same under consideration, and find that the law as it now stands, embraces all of the provisions named in said acts, except a publication of notices of sale in the newspapers. The committee are of opinion that the benefit, if any, to be derived from such publications, would be more than counterbalanced by the costs of the same. The committee have therefore instructed me to report both of said bills back to the Senate, and ask to be discharged from the further consideration of the same.

Mr. Wilson, from the committee on the Judiciary, to which was referred the petition of Andrew C. Walters, reported a bill for his relief, which was read first time.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, to wit :

A bill to grant a ferry privilege to H. L. Brook ; and a bill to create the counties of Cameron, Starr and Webb, into separate land districts.

Mr. Scott introduced a joint resolution instructing our Senators, and requesting our Representatives in Congress, to procure an amendment of an act of the Congress of the United States, approved 9th September, A. D. 1850, entitled an act proposing to the State of Texas the establishment of her northern and western boundary, the relinquishment by said State of all territory claimed by her exterior to said boundary, and of all her claim upon the United States, and to establish a territorial government for New Mexico ; read first time.

A message was received from the House, informing the Senate, that the House concurred in the amendments of the Senate to a bill to incorporate the Peoples Line of Gulf Steamers.

## ORDERS OF THE DAY.

A bill to grant a ferry privilege to H. L. Brook ; read third time and passed unanimously.

A bill to create the counties of Cameron, Starr and Webb, into separate land districts ; read third time and passed.

The report of the committee on Internal Improvements on the petition of J. A. Ragan ; read and adopted.

The report of the committee on Public Lands, offering a substitute for a bill to require the return of field-notes in certain cases ; was read and adopted.

Mr. Taylor moved to amend by striking out "fifty-two in first section, and inserting "fifty-three ;" upon which the yeas and nays were called, and were as follows :

Yeas—Messrs. Bigelow, Burks, Dancy, Day, Duggan, Eddy, Gray, Merriman, Reaves, Scott, Taylor, Truit and Wilson—13.

Nays—Messrs. Bogart, Davis, Grimes, Hart, Hill, Parker, Sterne and Williams—8. Adopted.

Mr. Wilson offered the following amendment : add to the 4th section, "provided this act shall only relate to the surveys made since the first day of February, 1838 ; adopted.

Mr. Hill moved to insert after the word "same" the words, "or any other ;" lost.

Mr. Hill moved to strike out all of the first and second sections after the enacting clause ; lost.

Mr. Grimes moved to amend by striking out "December" and inserting, "July" in first section.

On motion of Mr. Hart, "December" was stricken out, and "August" inserted.

Mr. Reaves offered the following amendment : insert at the end of fifth section, "provided that the heirs or legal representatives of deceased soldiers, shall have the right to return their field notes and obtain patents, at any time within four years from the passage of this act ;" rejected.

Mr. Scott offered the following amendment : "that all field-notes of surveys made after the 1st of January, 1851, shall be returned in two years after the date of the survey or be null and void, and the land subject to re-location."

On motion of Mr. Bigelow, the bill and amendments were laid on the table until Monday the 1st day of December.

The Senate concurred in the first amendment of the House to a bill to amend the estray law, approved February 8, 1850.

Mr. Wilson moved to refer the bill to the committee on the Judiciary ; lost.

On motion of Mr. Dancy, it was referred to the committee on State Affairs.

The report of the committee on Printing on a bill to amend an act regulating the public printing, approved March 8, 1848; read, and, on motion of Mr. Grimes, laid on the table until Tuesday, the second of December.

Mr. Sterne presented the petition of Bartlett Sims; referred to the committee on Claims and Accounts.

A bill for the relief of persons who have obtained land certificates from the county court of Grimes county (the records of which have been destroyed by fire,) between July first and December 31, 1848; read third time and passed.

A bill for the relief of the heirs of Walter Gibbes, of Liberty county; read, and, on motion of Mr. Taylor, laid on the table until Monday, December first.

A bill to amend the 17th section of an act to incorporate the Buffalo Bayou, Brazos and Colorado Railroad Company; read and ordered to be engrossed.

A bill allowing assessors and collectors of taxes, to employ deputies; read and ordered to be engrossed.

A bill to incorporate the Clarksville and Red River Turnpike Company, with the report of the committee on Internal Improvements offering amendments thereto; was read, report adopted, and bill passed to third reading.

A bill to repeal all laws heretofore enacted incorporating the town of San Augustine; read second time, and passed to third reading.

A bill to amend the tenth section of an act to organize the district courts, and define their powers and jurisdiction: read second time.

Mr. Taylor offered the following amendment, to come in after the word "follows," in first section:

"SEC. 10. That Wednesday of the first week of each term of the district courts, and as many days thereafter as may be necessary, shall be set apart for the trial of criminal causes, and that all witnesses be required to appear on that day and not sooner."

On motion of Mr. Taylor, the bill and amendment were referred to the committee on the Judiciary.

A bill to amend an act to regulate proceedings in the district courts, approved May 13, 1846; read second time, and, on motion of Mr. Taylor, referred to the committee on the Judiciary.

A bill to amend an act to regulate the license and practice of attorneys at law; read second time, and, on motion of Mr. Dancy, referred to the committee on the Judiciary.

A bill for the relief of the persons taken prisoners by the Mexican army, at the Mission of Refugio, in 1841 ; read second time, and, on motion of Mr. Dancy, referred to the committee on State Affairs.

A bill for the benefit of W. W. Wooten, assignee of David Lloyd ; read second time, and referred to the committee on Private Land Claims.

A bill to indemnify the owners for the loss of slaves executed for capital offences ; read second time, and, on motion of Mr. Dancy, referred to the committee on Finance.

A bill for the relief of the heirs of Levi P. Lockhart ; read second time, and, on motion of Mr. Taylor, laid on the table until Tuesday next.

Mr. Wilson, chairman of the committee on Education, to whom was referred a bill to incorporate Milam Masonic Female Institute, in the county of Bowie ; reported the same back and recommended its passage.

On motion of Mr. Day, the Senate adjourned until 10 o'clock Monday morning.

#### MONDAY, December 1, 1851.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Davis, chairman of the committee on State Affairs, to whom was referred a bill to fix the time for the biennial meeting of the Legislature, reported the same back and recommended its passage.

Mr. Davis, from the same committee, reported back a bill granting Thomas Cevallos permission to remain in this State, and recommended its rejection.

Mr. Taylor, chairman of the committee on Private Land Claims, to whom was referred the petition of Mary A. Woodall and James P. Williams, reported a bill for the relief of the heirs of Nancy Williams, deceased ; read first time.

Mr. Taylor, from the same committee, to whom was referred the petition of Sabina Draper and husband, reported a bill for the relief of Sabina Draper ; read first time.